



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/07/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12074 of 2022

Pandiganesh

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Sattur,
Virudhunagar District.
(Crime No.05 of 2022).

... Respondent/Complainant

For Petitioner : Mr.C.M.ARUMUGAM
Advocate.

For Respondent : Mr.B.THANGA ARAVINDH
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No.05 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested on 23.05.2022 for the alleged offences under Sections 5(1), 5(j)(ii) r/w 6 of POCSO Act, 2012 and Section 9 of Child Marriage Act 2006, in Crime No.05 of 2022 on the file of the respondent police, seeks bail.

2. The victim herself has given a statement that after completing 8th standard, she was staying in her house. She fell in love with the petitioner for the past one year and the same was not accepted by their parents, so on 17.05.2022, they were married themselves. Even then, their family members did not accept them. Thereafter, they were living together and she became pregnant and delivered a female child on 05.05.2022. Based on the information of the Hospital officials, it was found that she was minor at the time of marriage and after recording her statement, the complaint has been registered.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) and also perused the materials available on record.

4.The victim girl is also present before this Court. On perusal of records, it appears that the victim girl is aged about 17.05



months on the date of the alleged marriage, she fell in love with the petitioner for about one year and got married themselves, she became pregnant and also delivered a female child. Now, there is no support from either side.

5. Considering the facts and circumstances of this case, considering the statement of the victim girl and considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Special Court for POCSO Act Cases, Virudhunagar District, Srivilliputtur, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

06/07/2022

/ TRUE COPY /

06/07/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

- 1 THE JUDGE,
SPECIAL COURT FOR POCSO ACT CASES,
VIDUHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 2 THE OFFICER INCHARGE, DISTRICT JAIL, VIRUDHUNAGAR DISTRICT.
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SATTUR, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.ARUMUGAM.C.M Advocate SR.No.6663

ORDER IN

CRL OP(MD) No.12074 of 2022

Date : 06/07/2022

SA/VR/SAR.4/06.07.2022/2P/6C

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